

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2004/018988

International filing date (day/month/year)
14.12.2004

Priority date (day/month/year)
15.12.2003

International Patent Classification (IPC) or both national classification and IPC
H04L9/08

Applicant
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/JP2004/018988

IAP20 Received 01 FEB 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2004/018988

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-27
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-27
Industrial applicability (IA)	Yes: Claims	1-27
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/JP2004/018988

IN 2005-01-01 FEB 2006

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

- D1: US 2003/044018 A1 (TOMLINSON DAVID ROBIN) 6 March 2003 (2003-03-06)**
D2: MENEZES,VANSTONE,OORSCHOT: "Handbook of Applied Cryptography"
1997, CRC PRESS LLC , USA , XP002318652

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-27 does not involve an inventive step in the sense of Article 33(3) PCT.

2.1. Independent claim 1

2.1.1. The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (abstract and paragraphs 6-8) a secret information-setting device for generating secret information and setting secret information in a plurality of appliances in a system using shared secret information that allows the appliances to communicate over a network, comprising:

- a generation-instruction-receiving unit that receives a secret-information-generation instruction from the user;
- a secret-information-generation unit that generates the secret information in response to the secret-information-generation instruction received with the generation-instruction-receiving unit;
- a secret-information-storage unit that stores the secret information generated by the secret information generation unit;
- a secret-information-transfer unit that transfers the secret information stored in the secret-information-storage unit to the plurality of appliances; and
- a secret-information inhibiting ~~deleting~~ unit that inhibits ~~deletes~~ the transmission of the secret information stored in the secret-information storage unit when a predetermined condition is satisfied.

2.1.2. The subject-matter of claim 1 therefore differs from that of D1 in that the secret information is deleted when the predetermined condition is satisfied.

2.1.3. The problem to be solved by the present invention may therefore be regarded as how to limit the transmission of the secret information once the predetermined condition has been satisfied.

2.1.4. The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) because an equivalent feature has already been employed for the same purpose in D1 (see D1 (abstract and paragraphs 6-8) wherein the secret information is no longer transmitted when a decreasing counter reaches the value zero). Thus, it would be obvious to the person skilled in the art, namely when the same result is to be achieved and based on this feature with corresponding effect to arrive at the subject-matter of claim 1.

Thus, the subject-matter of claim 1 does not involve an inventive step and does not satisfy the criterion set forth in Article 33(3) PCT.

2.2. The same reasoning applies, *mutatis mutandis*, to the subject-matter of the corresponding independent claims 21 and 25-27, which therefore are also considered not inventive.

2.3. Dependent claims 2-10 and 22-24 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, see documents D1 and D2 and the corresponding passages cited in the search report.

3. It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 6.3(b) PCT. The applicant should also indicate in the letter of reply the difference of the subject-matter of the new claim vis-à-vis the state of the art and the inventive merit thereof.